

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA

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CASE NO. 4:09CR12

v.

FEDERICO EVELIO GARCIA-SANTOS

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

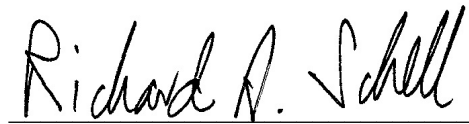
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On February 16, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the Defendant's Motion for Suppression of Evidence Seized in Violation of Fourth Amendment Rights (February 2009 Virginia Incident) (Dkt. 75) be DENIED and the Defendant's Motion for Suppression of Evidence Seized in Violation of Fourth Amendment Rights (April 2004, Memphis, Tennessee Incident) (Dkt. 76) be GRANTED.

The court, having made a *de novo* review of the objections raised by Defendant and the Government's response, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Defendant are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that the Defendant's Motion for Suppression of Evidence Seized in Violation of Fourth Amendment Rights (February 2009 Virginia Incident) (Dkt. 75) is **DENIED**

and the Defendant's Motion for Suppression of Evidence Seized in Violation of Fourth Amendment Rights (April 2004, Memphis, Tennessee Incident) (Dkt. 76) is **GRANTED**.

SIGNED this the 22nd day of February, 2010.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE